



## **ATTACHMENT A**

### **Remarks**

Claims 26, 30 and 32-36 stand pending in the present application.

By this Amendment, Applicants have amended claims 26, 30 and 32, added new claims 33-36 and canceled claims 27-29 and 31. Applicants respectfully submit that the present application is in condition for allowance based on the discussion which follows.

The claims in this present application were subject to a restriction requirement in which claims 27-29 and 31 were identified as being directed to an intermediate layer being pressed molded and claims 30 and 32 were identified as being directed to an intermediate layer being injection molded. Claim 26 was identified as being generic to both sets of claims.

By this Amendment, Applicants have amended claim 26. After consideration of the amendments to claim 26 and the discussion which follows, Applicants respectfully submit that the Examiner will find generic claim 26 (currently amended) is allowable. Therefore, Applicants respectfully request the Examiner consider all the pending claims depending therefrom, i.e., claims 30 and 32, allowable as being dependant on an allowable generic claim in accordance with 37 C.F.R. § 1.141 and MPEP § 809. Accordingly, Applicants respectfully request that the restriction requirement be withdrawn and claims 30 and 32 rejoined in this present application. Notwithstanding the prior arguments and in order to

complete the response to the election requirement, Applicants elect claim 26 as a generic claim and the subject matter of now cancelled claims 27-29 and 31 rewritten in independent form as claims 33-36, respectively as the species.

Claim 26 was rejected under 35 USC § 102(b) as being anticipated by Jordan et al. U.S. Patent No. 6,835,146 (hereinafter "Jordan") and claim 27 was rejected under 35 USC § 103(a) as being unpatentable over Jordan.

In order to more clearly recite Applicants' invention, Applicants have amended claim 26 to now recite a first process of molding a core having a spherical body and ribs each having at least one notch. Claim 26 includes the subject matter of notches in the ribs which, in part, distinguishes claim 26 from claim 29 which the Examiner indicated would be allowable if rewritten in independent form. Applicants respectfully submit that claim 26 (currently amended) is not anticipated by Jordan as Jordan fails to teach or suggest notches formed in its ribs.

Based on the foregoing, Applicants respectfully submit that claim 26 is not anticipated by Jordan and therefore respectfully request that the rejection to claim 26 be withdrawn.

With regard to the 103(a) rejection of claim 27, added claim 33 corresponds to now canceled claim 27, rewritten in independent form. Although, the Examiner alleges that Jordan discloses all of the

manufacturing steps of now canceled claim 27, Jordan fails to teach or suggest the recited step “a process of press molding a pair of hemispherical, shell-like pieces for forming an intermediate layer, wherein the pieces are composed of a rubber composition in a semi-vulcanized condition and a process in which a core is placed between the pair of pieces for forming the intermediate layer, the edges of mouths of the pair of pieces for forming intermediate layer are put into contact with each other, and the pieces for forming the intermediate layer are fully vulcanized by press molding thereby forming the intermediate layer”. Thus, contrary to the Examiner’s alleged distinction between claim 27 and Jordan in which the Examiner alleges that claim 27 is directed to press molding, the presently claimed method recited in claim 33 for forming the intermediate layer is totally different from Jordan. Therefore, Jordan does not teach or suggest the pair of pieces for forming the intermediate layer is vulcanized.

Based on the foregoing, Applicants respectfully submit that claim 33 is not obvious in view Jordan and therefore respectfully submit that claim 33 is clear of the prior art.

Claims 28, 29 and 31 were objected to being dependent upon a rejected based claim but would be allowable if rewritten in independent form to include all limitations of the base claim and any intervening claims. By this Amendment, Applicants have rewritten the aforementioned claims

in independent form as claims 34-36, respectively, and thus Applicants respectfully submit claims 34-36 are allowable.

In view of the foregoing, Applicants respectfully submit that all pending claims, i.e., claims 26, 30 and 32-36 are in condition for allowance.

**END OF REMARKS**